



**Australian Government**  
**Department of Finance**

## ADDENDUM NUMBER 7 – FIN/PP02/22 Phase 2

### People Panel Phase 2 – Labour Hire Services for the Australian Government

Date of Issue for this Addendum: 29 November 2022

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This Addendum 7 provides corrections to the Request for Tender including Attachment D, the link to the Virtual Questions and Answers Session, and the responses to questioned asked at the session.

#### Request for Tender Correction

Note 1 in Paragraph 5.5.3 of Attachment C – Head Agreement to the RFT document reads:

*'If Finance establishes the Panel Administration Platform contemplated by clause 5.5.1, the Service Provider agrees it will:*

*(a) use and participate in that platform under this Head Agreement or any Contract at its own cost, subject to clause 1.1.1; and*

*(b) ensure that the Labour Hire Worker uses and participates in the platform directly, including as required for reporting purposes, as required by Finance.'*

**This should read:**

*"If Finance establishes the Panel Administration Platform contemplated by clause 5.5.1, the Service Provider agrees it will:*

*(a) use and participate in that platform under this Head Agreement or any Contract at its own cost; and*

*(b) ensure that the Labour Hire Worker uses and participates in the platform directly, including as required for reporting purposes, as required by Finance.'*

#### Attachment D - Information and Guidance about the Tender Response Questionnaire Correction

About the Respondent Section reads:

*"This section requires the Respondent to:*

*provide a brief overview of its organisation and the services it provides (relative to the Services in Schedule 2 of Attachment C – Head Agreement of this RFT) (maximum 400 words)*

*indicate if it is a Small to Medium Enterprise (SME) (ie an entity employing fewer than 200 full time equivalent employees)*

*indicate its type of legal entity*

*indicate if it is an Indigenous enterprise*

*indicate the locations where it currently has an office.”*

**This should read:**

“This section requires the Respondent to:

*provide a brief overview of its organisation and the services it provides (relative to the Services in Schedule 2 of Attachment C – Head Agreement of this RFT) (maximum 1000 characters)*

*indicate if it is a Small to Medium Enterprise (SME) (ie an entity employing fewer than 200 full time equivalent employees)*

*indicate its type of legal entity*

*indicate if it is an Indigenous enterprise*

*indicate the locations where it currently has an office.”*

## **Industry Briefing Questions and Answers Video Recording**

A video recording of the virtual ‘questions and answers’ session held on 24 November 2022 can be accessed through the following link (please allow a minute or so for this to open or download):

<https://360providers.apetsoftware.com.au/LargeFiles/Finance/People%20Panel%20Phase%202%20Labour%20Hire%20Services%20Virtual%20Q&A.mp4>

Finance apologises that some questions were not answered during the live ‘question and answers’ session, those questions have been addressed in this addendum (from question 30 onwards).

Questions related to the Industry Briefing must be directed to the Request Manager through the “Contact Request Manager” feature within the 360 Providers’ Portal, which opens an “Enquiries” page.

## **Response to Questions**

This Addendum is issued in accordance with paragraphs 5.2 and 6.1 of the Request for Tender.

### **Question 1**

Can Finance advise if Scribes will be used only for note taking duties and not for any other consultation that may support a merit selection process?

### **Answer 1**

Scribing, as it relates to the provision of Recruitment and Search Services is covered by the People Panel Phase 1: Recruitment and Search Services.

Scribing is in scope of Phase 2: Labour Hire Services; however, scribes, scribing, or scribing services (however described) are not recognised as a separate subcategory of the People Panel Phase 2.

For the purpose of clarification, where an entity engages a labour hire worker (at any level), that worker can be directed to undertake duties for any activity related to the requirements of the role, including Human Resource activities such as recruitment processes.

**Question 2**

Do Other Australian Administered Territories include geographical areas such as Rural, Regional and Remote?

**Answer 2**

Other Australian Administered Territories includes offshore territories such as Norfolk Island, Cocos (Keeling) Islands, Christmas Island, Ashmore and Cartier Islands.

Rural, Regional and Remote refers to areas outside of major metropolitan areas.

**Question 3**

Within the five (5) categories can you provide indicative roles within the specified sub categories? For example, category 1 - Corporate Services - Accounting and Finance, what specific roles might fall under this sub category?

**Answer 3**

**Attachment B** of the RFT contains details on Job Family Mapping.

**Question 4**

Can a Respondent submit additional pages with images in response to **Evaluation Criterion 1 - Capability** (five (5) A4 pages), and/or **Criterion 2 – Capacity** (two (2) A4 pages)?

If not, can the content within the page include images/diagrams/video links?

**Answer 4**

The response must not exceed the maximum number of pages per criterion. Images/diagrams can be contained within the maximum number of pages.

In accordance with subparagraph 8.5.5 of the RFT, Respondents must not reformat or corporate brand any attachments they upload to the 360 Providers' Portal, and must not embed or separately provide any video files as part of its Tender.

If video files are embedded or separately provided, Finance will not consider these video files.

**Question 5**

Refer **Evaluation Criterion 2 – Capacity, Table 3 – Respondent's Company Candidate Profile**

When populating Table 3 should the Respondent include the current number of candidates in their candidate database including those on assignment?

**Answer 5**

Yes. Respondents should include the total number of candidates accessible by the Service Provider.

**Question 6**

Refer **Evaluation Criterion 2 – Capacity, Table 2 – Respondent's Company Profile**

Should Table 2 identify the number of full time equivalent (FTE) employees and contractors who have worked for the Respondent over the past three (3) financial years?

**Answer 6**

Yes. The respondent should include the actual number of all FTE and contractors who support the delivery of the Service Provider's company. It should not include your labour hire candidate pool.

**Question 7**

Can a respondent put in its own submission as well as be a sub-contractor for another respondent (Service Provider)?

**Answer 7**

Yes. A respondent can submit its own response, and be nominated as a subcontractor for other respondents (Service Providers).

**Question 8**

Can a respondent nominate a Category but not provide all of the sub-categories within it? For example, if the Respondent nominates Category 1 - Corporate Services, could they supply Human Resources but not Accounting & Finance?

**Answer 8**

Yes; but Respondents will need to clearly articulate in their written response any niche services provided.

**Question 9**

As part of the optional clarification process, If a respondent is notified the previously submitted STR would not meet the Minimum Content and Format Requirements, can the respondent re-submit supplementary requests to review their Statement of Tax Records,

**Answer 9**

Yes. The Respondent can submit additional STRs for review by replying to the direct message response received in the 360 tender system.

The cut-off date for submitting STR(s) for the optional clarification process is 2.00pm 28 November 2022, Canberra time. Noting that this time has now past.

**Question 10**

Can a respondent submit more than two Referee Reports?

**Answer 10**

No. Finance will not consider more than two Referee Reports.

**Question 11**

In **Attachment L - Modern Slavery and Trafficking Supplier Questionnaire**, the first table "**Contact details – Australian Government department or agency**" on page 2 is empty. What details should be included in this part of the questionnaire?

**Answer 11**

The first table on page 2 isn't required to be completed and should be left blank. The respondent must complete the remainder of the questionnaire.

**Question 12**

How will the People Panel operate given entities can source some of the labour hire services from other already established panels?

**Answer 12**

The People Panel is a [Whole of Australia Government coordinated procurement arrangement](#) and is mandated for use by Non-corporate Commonwealth entities, and is optional for all other government bodies. We will provide in this addendum a link to the website to provide you with a copy of the PGPA flipchart which gives a list of all commonwealth entities.

[Click here](#) to view the PGPA flipchart.

**Question 13**

Is the cost for any security checks or clearances for candidates at the cost of the Service Provider?

**Answer 13**

In accordance with Schedule 2, Part B – Engagement of Labour Hire Workers of the Panel Head Agreement, unless specified otherwise in a Contract, the Service Provider must, at the cost of the Service Provider, ensure that prior to commencing an engagement with an Entity, all Labour Hire Workers have obtained any relevant clearances required by an Entity.

Sponsoring security clearances through AGVSA (Australian Government Vetting Service Agency) is a matter for each entity.

**Question 14**

Does the Service Provider need to provide security cleared candidates?

**Answer 14**

Refer to clause 5 – Process for engaging Labour Hire Workers of **Attachment C – Panel Head Agreement for Labour Hire Services**.

Where no security clearance is held, the Service Provider must provide details of whether the Labour Hire Worker is prepared to undergo a security assessment to meet the entities security guidelines should they be successful.

An Entity will specify in the RFQ and Order for Services the required security clearance of the Labour Hire Worker.

An entity may request additional services as required to fulfil any specific security policy requirements in an Order for Services.

**Question 15**

How will Contractor Services differ from Labour Hire Services if Finance goes ahead with Phase 3 RFT for Contractor Services?

**Answer 15**

Phase 3 of the People Panel (Professional Contractor Services) is in a development phase. The scope of services for Phase 3 will be made following stakeholder engagement activities.

The high-level definition of a Professional Contractor at this stage is a person who performs a specialised role for a short and fixed term.

**Question 16**

Is it a requirement that Respondents must respond to **Attachments E, F, G, and H**, using the forms provided by the Department, or can we use our branded response templates?

**Answer 16**

In accordance with subparagraph 8.5.5 of the RFT, Respondents must not reformat or corporate brand any attachments they upload to the 360 Providers' Portal.

**Amendment:** The exception is Referee Reports only. The Company and or Entity Letterhead should be included at the top of the report.

**Question 17**

If a Respondent has been successful for Candidate Sourcing Services for Phase 1, does the Department of Finance expect that the pricing for placement services for Phase 2 to be the same

**Answer 17**

Recruitment and related services is Phase 1, it's a separate process to this Phase 2, which is for Labour Hire Services, not Recruitment related services – this should be priced as Respondents see fit.

**Question 18**

Are you able to provide the indicative hourly rate for each of the APS classifications?

**Answer 18**

Each of the APS Hourly Classifications will be linked to an entity's enterprise agreement; so the rate for a particular APS level would be within the banding of the entity that is engaging with the services and that will be negotiated on a work order by work order basis.

**Question 19**

We are capped to enter up to only 10,000 (characters) and our candidate database number is larger than this; is there a possibility to increase this?

**Answer 19**

If your candidate pool is larger than 10,000, if you nominate 10,000 in your response, then in the written part of the response you can just add in there the total number. But at this stage, we won't be reformatting how many numbers above 10,000 you can put into the system.

**Question 20**

Can you explain the reason why some ICT roles (such as cyber security, data analyst, scrum masters, business analysts) are in scope, but most other ICT roles are out of scope?

**Answer 20**

ICT is out of scope for the People Panel Phase 2.

**Question 21**

Are the Order Value Discounts (OVD) based on the projected total work order value or will the discount only apply when the threshold is reached based on actual hours worked?

**Answer 21**

The OVD is based on the total value of spend with your organisation across the Commonwealth.

**Question 22**

In the Industry Briefing the advice was to make sure Respondents provided examples relevant to Labour Hire Services; does this mean that we should not provide case study examples of S26 transfers and non-ongoing APS placements, even though these are services also covered by Phase 2?

**Answer 22**

Phase 2 is for Labour Hire Services, those other services are part of the scope of this process, you should focus on the provision of labour hire services but also include the details of those other service provisions where relevant.

**Question 23**

The evaluation criteria for the criterion capability document requires a lot of information, but is capped at 5 pages. Is there scope to increase the page limit?

**Answer 23**

No. The page limit has been set.

**Question 24**

Will Finance accept different pricing models to meet the varying service offers and business models in the market (i.e. niche specialist providers with large transactional) or is recruitment for level 1 support vs SES?

**Answer 24**

The pricing should be provided as set out in the RFT and the response documents. The pricing tables explains how Finance would like to see pricing responded too.

**Question 25**

When can Respondents expect replies to questions taken on notice?

**Answer 25**

Finance will issue an addendum early next week that addresses any questions we've taken on notice.

**Question 26**

If we are to use the templates for **Attachments E, F, G, and H**; can the Department provide word documents for Respondents to complete?

**Answer 26**

Responses need to be provided through the 360 Tender System.

**Amendment:** Respondents can upload their response using a blank word document with the exception of the Referee Report. Refer to question/answer 16 of this Addendum.

**Question 27**

Can we apply to provide services under Category 1: Corporate Services on the basis that if successful we are only capable of providing communications and marketing staff?

**Answer 27**

Yes. You need to articulate what are the niche services in your written response.

**Question 28**

Will labour hire workers who were originally engaged under the Digital Marketplace Panel, but who are in roles that are in scope for this panel be moved across to be under the terms of the Finances head agreement at some stage?

**Answer 28**

ICT is out of scope for People Panel Phase 2, and any transition arrangements will be managed by the relevant entities.

**Question 29**

Can Finance provide further details around the Panel Administration Platform?

**Answer 29**

Finance will take questions relating to the Panel Administration Platform on notice; due to the sensitivities of the concurrent RFT process.

**Update:** refer to questions/answers 40-43 of this Addendum notice.

- **The following are Questions on Notice from the virtual Q&A session and questions taken outside of the session —**

**Question 30****Refer Attachment G – Pricing –Table 3 – Direct Placement Fee**

A respondent can only enter one fee for non-ongoing APS placements. Generally, fees for a 12 month non-ongoing placement is more than for a 3 month non-ongoing placement. Can a respondent provide a monthly fee, which would be multiplied by the number of months of the term?

**Answer 30**

The response must be a one off fee, not a monthly fee.

An entity can negotiate fees less than a tendered amount when entering into a work order.

**Question 31**

Industry experience suggests that sourcing an EL2 requires more effort and is much harder to source (due to their availability) than an APS2. Is the gross profit margin to be the same across all levels?

**Answer 31**

The Commonwealth has separated each of the APS equivalent classifications based on industry feedback. It is anticipated that there is consistency of pricing across levels. i.e. the effort required to source and manage an APS level 1 versus an APS level 6.

**Question 32**

Where are the “Attachment H” and “Attachment L” to be submitted on the 360 portal?

**Answer 32**

Attachments L and H are uploaded in Section 9 at Questions 7 and 6.

**Question 33**

We understand that the Defence Support Services Panel includes an arrangement whereby firms on the panel are able to sponsor clearances. Will Phase 2 have a similar arrangement?

**Answer 33**

The eligibility and suitability of the Defence Industry Security Program (DISP) is management by the Department of Defence. Further information about DISP can be found [here](#).

**Question 34**

Attachment E - Criteria 1, allows 5, A4 pages for a response. For easy reading you would normally include in the response. The questions take up a page and a half. Is the 5 page response excluding the questions.

**Answer 34**

It is not mandatory to address each dot point and these are included for guidance to provide your response.

**Question 35**

If a Respondent submits documentation and something is missing or not explained adequately, do we have the opportunity to re-submit?

**Answer 35**

A Respondent isn't able to change their Tender once it has been submitted and locked in the 360 Tender System, or after the closing date and time. Respondents can only change their Tender before they have submitted and before the closing date and time.

**Question 36**

Will on-costs remain static for the life of the panel, or will there be an opportunity for them to increase as the cost of doing business increases over that time?

**Answer 36**

No. The on-costs determined in a relevant work order are based on the statutory employment on-costs. Refer to **Attachment C – Panel Head Agreement - Schedule 3 Pricing** clause 1.3 for further information.

**Question 37**

Will ICT be part of Phase 3?

**Answer 37**

This RFT is for Phase 2. Information on future phases will be made available as it progresses.

**Question 38**

How do you submit the Statement of Tax Record (STR) optional process via the 360 tendering system?

**Answer 38**

The Respondent must submit the STR(s) in Section 5 - Minimum Content and Format Requirements at Question 2 of the 360 tender system (360).

Create a new message by clicking “Add Compliance Evidence” and attach the STRs for review.

**Question 39**

Can the pdf response forms provided, which require completion for upload into the Apet360 system - be provided in Word format by the Department?

**Answer 39**

No. Respondents can address these attachments using a blank word document.

**Question 40**

Refer **Attachment C - Panel Head Agreement for Labour Hire Services** clause 5.5.2 (a)  
Can Finance please provide further information on why the creation of profiles for Labour Hire Workers on a Panel Administration Platform might be required? Please detail how these profiles would be accessed and used by any government entity or connected service provider aside from the service entity that has supplied that worker.  
Will Finance provide a guarantee that Finance is not creating its own database of labour-hire workers for any reason other than reporting?

**Answer 40**

The Panel Administration Platform is in the process of being developed, details of the solution design are not available for discussion prior to the finalisation of the market approach to build the Platform. Finance is subject to legal and policy obligations including the *Privacy Act 1988*. Any system that is developed will be compliant with those requirements.

**Question 41**

Refer **Attachment C - Panel Head Agreement for Labour Hire Services** clause 5.5.2 (c)  
How often does Finance anticipate that a Labour Hire Worker would need to update their profile?

**Answer 41**

Reporting obligations for a Labour Hire Worker are outlined in Schedule 8 to **Attachment C - Panel Head Agreement for Labour Hire Services**. It is anticipated that updates to a Labour Hire Worker profile would be limited to a change in personal information, and updates would be required when such a change occurs.

**Question 42**

Refer **Attachment C - Panel Head Agreement for Labour Hire Services** clause 5.5.3 (a)  
Can Finance please estimate any potential cost that might be involved in using this platform if it is introduced? It is difficult to accept a cost without any detail on what that cost might be.  
Clause 1.1.1 referenced in clause 5.5.3 does not appear to exist anywhere.

**Answer 42**

The sustainment of the Panel Administration Platform including licencing and Helpdesk Support will be borne by Finance, the cost to a Service Provider primarily relates to the time to administer reporting requirements within the platform.  
Whilst clause 1.1.1 does exist as the definitions table, it has been incorrectly referenced in clause 5.5.3 (a).

**Question 43**

Refer **Attachment C - Panel Head Agreement for Labour Hire Services** 5.5.3 (b)  
If a labour-hire worker refuses to use said platform under privacy or any other concern, would their contract be terminated?

**Answer 43**

As per **Attachment C - Panel Head Agreement for Labour Hire Services**, Schedule 2 clause 3.1 (b) all Labour Hire Workers (LHW) engaged through the panel will be required to register in the Panel Administration Platform. Clause 5.1(a)(ii) further requires that prior to the engagement of a Labour Hire Worker the proposed Labour Hire Workers' must be registered in the Panel Administration Platform and the LHW's unique ID must be provided.

Following the implementation of the Panel Administration Platform, a LHW that isn't registered will not be able to be engaged under a People Panel contract. The Commonwealth expects that the Panel Administration Platform will be in place at the time that Phase 2 of the People Panel is operational. Finance will work with Service Providers and Commonwealth entities to transition any pre-existing arrangements.

— End of Addendum —